

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN A. GELNETTE and

ELIZABETH PAPPAS,

Defendants.

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8:05CR363

ORDER

This matter is before the court on the motion of Elizabeth Pappas to continue trial (#18), now set for November 8, 2005. For good cause shown, I find that a continuance to January 3, 2006 should be granted.

IT IS ORDERED that the motion to continue trial (#18) is granted, as follows:

1. Trial of this matter is continued from November 8, 2005 to **January 3, 2006** before Judge Laurie Smith Camp and a jury, as to all defendants.

2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **November 8, 2005 and January 3, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

3. Defendant shall file a waiver of speedy trial in accordance with NECrimR 12.1 as soon as is practicable.

DATED October 31, 2005.

BY THE COURT:

s/ F.A. Gossett

United States Magistrate Judge